

Return PREPARED BY:
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BOOK 316 PAGE 283

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, the United States of America, acting by and through the United States Department of Agriculture, is the owner and holder of the following real estate deed(s) of trust, securing an indebtedness therein mentioned, and covering certain real estate hereinafter described located in Desoto County, Mississippi, said deed(s) of trust being duly recorded in the Office of the Chancery Clerk in and for said County and State:

<u>GRANTOR(S)</u>	<u>DATE EXECUTED</u>	<u>TRUST DEED BOOK</u>	<u>PAGE</u>
Paul W. Downing and Debra W. Downing	June 10, 1980	260	121
Michael A. Hays and wife, Cathy B. Hays	November 17, 1989	491	628

The indebtedness secured by the Deed of Trust dated June 10, 1980 and executed by Paul W. Downing and Debra W. Downing was assumed by Michael A. Hays and Cathy B. Hays by Warranty Deed dated November 17, 1989 and recorded in the office of the aforesaid Chancery Clerk in Deed Record Book 220 at Page 654 and with Assumption Agreement dated November 17, 1989.

And default having been made in the payment of said indebtedness;

And the United States of America, as Beneficiary, having authorized and instructed the Substitute Trustee to foreclose said deed(s) of trust by advertisement and sale at public auction as required by law;

The said Substitute Trustee caused a due notice to be published in the Desoto Times, a newspaper published in the City of Hernando, said County and State, and on April 10, 1997, posted alike notice on the bulletin board of the County Courthouse in Hernando, Mississippi, that certain lands herein after described would on May 5, 1997, be sold at public auction at the East front door of said Courthouse to the highest bidder for cash by virtue of the authority vested in the said Substitute Trustee by said deed(s) of trust, which said notice was published in said newspaper in the issues of April 10, April 17, April 24 and May 1, 1997.

And said lands having been sold by said Substitute Trustee on May 5, 1997, within legal hours (being between the hours of 11:00 AM and 4:00 PM), in the manner prescribed in and by said deed(s) of trust and in accordance with the laws of the State of Mississippi, and at the place aforesaid in pursuance of said notice, offered for sale at public auction to the highest bidder for cash, and

Brandal and Judy Johnston
having been the highest bidder therefore and having bid the sum of
THIRTY-FIVE THOUSAND FIVE HUNDRED AND NO/100 Dollars
(\$ 35,500.00), the said BRANDAL AND JUDY JOHNSTON
was duly declared the purchaser thereof.

NOW, THEREFORE, in consideration of the sum so bid, I, Richard J. Hill, as Substitute Trustee, do hereby convey and sell to the said
Brandal and Judy Johnston

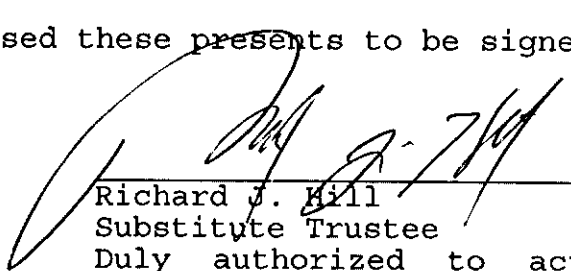
the following described land situated in Desoto County, Mississippi, to-wit:

(SEE ATTACHED LEGAL DESCRIPTION)

being the same property described in said deed(s) of trust and the same property sold and purchased at said sale.

I, Richard J. Hill, Substitute Trustee, convey only such title as is vested in me as Substitute Trustee.

IN WITNESS WHEREOF, I have caused these presents to be signed the 5th day of May, 1997.


Richard J. Hill
Substitute Trustee
Duly authorized to act in the premises by instrument dated March 7, 1994, and recorded in Book 1, Page 23, of the records of the aforesaid County and State.

ACKNOWLEDGEMENT

STATE OF MISSISSIPPI)
) SS:
COUNTY OF DESOTO)

Personally appeared before me, W.E. Davis - P. Storkey, DC, a notary public in and for the County and State aforesaid Richard J. Hill, Substitute Trustee, who acknowledged that he signed and delivered the foregoing Substitute Trustee's Deed on the day and year therein mentioned.

Given under my hand this 5th day of May, 1997.

(S E A L)

My Commission Expires:
MY COMMISSION EXPIRES
JAN. 3, 2000

W. E. Davis
NOTARY PUBLIC
By P. Storkey DC

Grantor: Richard J. Hill, Substitute Trustee for the United States of America; P. O. Box 488; Hernando, Mississippi 38632; telephone (601) 429-7866.

Grantee: Brandal and Judy Johnston, 5380 Gilder Cv., Horn Lake, MS 38637

(H) - 601-280-8727 (W) 901-375-4134

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Lot 436, Section E, Twin Lakes Subdivision, situated in Section 6, Township 2 South, Range 8 West, as shown on plat of record in Plat Book 12, Pages 19 and 20, in the office of the Chancery Clerk of DeSoto County, Mississippi.

AFFIDAVIT OF FORECLOSURE PROCEEDINGS

STATE OF MISSISSIPPI)
) SS:
 COUNTY OF DESOTO)

Richard J. Hill, being first duly sworn on oath, deposes and says that on April 10, 1997, as Substitute Trustee, he posted a copy of the Notice annexed to the foregoing Publisher's Affidavit on the bulletin board of the County Courthouse in Hernando, Mississippi; that further, he was authorized and instructed by the Beneficiary to foreclose certain deed(s) of trust by advertisement and sale; that he acted as auctioneer for the sale of the premises described in the notice annexed to the foregoing Publisher's Affidavit and that pursuant to such Notice of Sale, he sold said premises at public auction at the place and at the time of sale mentioned therein, to wit: At the hour of 11:00 A.M. on May 5, 1997, at the East front door of the County Courthouse in the aforesaid County where said premises are situated; and that said premises were then and there purchased by

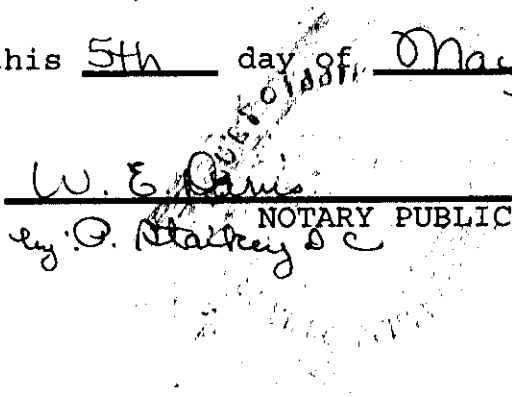
Brandal and Judy Johnston

for the sum of \$ 35,500.00, said purchaser being the highest bidder, and said sum being the highest sum bid; and deponent further says that said sale was conducted fairly, honestly, and according to the terms of said deed(s) of trust and the laws of the State of Mississippi, and that to the best of his knowledge and belief, the Grantor(s) are not members of the Armed Services of the United States of America.


 Richard J. Hill

Subscribed and sworn to before me this 5th day of May
 19 97.

(S E A L)


 W. E. Davis
 Notary Public

My Commission Expires:
JAN. 3, 2000



PROOF OF PUBLICATION

THE STATE OF MISSISSIPPI
COUNTY OF DESOTO

DANA LONG personally appeared before me the undersigned authority in and for said County and State and states on oath that she is the **CLERK** of the DeSoto Times, a newspaper published in the town of Hernando, State and County aforesaid, and having a general circulation in said county, and that the publication of the notice, a copy of which is hereto attached, has been made in said paper 4 consecutive times, as follows, to-wit:

Volume No. 102 on the 10 day of April, 1997

Volume No. 102 on the 17 day of April, 1997

Volume No. 102 on the 24 day of April, 1997

Volume No. 102 on the 1 day of May, 1997

Volume No. _____ on the _____ day of _____, 19____

Dana Long
(TITLE)

Sworn to and subscribed before me, this 1 day of May, 1997

Barbara Burkeen

BY Notary Public

NOTARY PUBLIC STATE OF MISSISSIPPI AT LARGE

MY COMMISSION EXPIRES: OCT. 31, 1998

My commission expires: BONDED THRU NOTARY PUBLIC UNDERWRITERS

A. Single first insertion of	<u>409</u>	words @ .08	\$ <u>32.72</u>	House Display
B. <u>3</u> subsequent insertions of	<u>1227</u>	words @ .05	\$ <u>61.35</u>	
C. Making proof of publication and depositing to same			\$ <u>1.00</u>	

TOTAL PUBLISHER'S FEE:

300.07

STATE MS. - DESOTO CO. *mc*

MAY 13 1 51 PM '97

BK 316 PG 263
W.E. DAVIS CH. CLK.

NOTICE OF SALE

WHEREAS, the United States of America, acting by and through the United States Department of Agriculture, is the owner and holder of the following real estate deed(s) of trust, securing an indebtedness therein mentioned and covering certain real estate hereinafter described located in DeSoto County, Mississippi, said deed(s) of trust being duly recorded in the Office of the Chancery Clerk in and for said County and State:

GRANTOR(S) - Paul W. Downing and Debra W. Downing

DATE EXECUTED - June 10, 1980
TRUST DEED BOOK - 280

PAGE - 121

GRANTOR(S) - Michael A. Hays and wife, Cathy B. Hays

DATE EXECUTED - November 17, 1989

TRUST DEED BOOK - 491
PAGE - 828

The indebtedness secured by the Deed of Trust dated June 10, 1980 and executed by Paul W. Downing and Debra W. Downing was assumed by Michael A. Hays and Cathy B. Hays by Warranty Deed dated November 17, 1989 and recorded in the office of the aforesaid Chancery Clerk in Deed Record Book 220 at Page 854 and with Assumption agreement dated November 17, 1989.

WHEREAS, default has occurred in the payment of the indebtedness secured by said deed(s) of trust, and the United States of America, as Beneficiary, has authorized and instructed me as Substitute Trustee, to foreclose said deed(s) of trust by advertisement and sale at public auction in accordance with the statutes made and provided therefor.

THEREFORE, notice is hereby given that pursuant to the power of sale contained in said deed(s) of trust and in accordance with the statutes made and provided therefor, the said deed(s) of trust will be foreclosed and the property covered thereby and hereinafter described will be sold at public auction to the highest bidder for cash at the east front door of the county courthouse in the city of Hattiesburg, Mississippi, in the aforesaid County and will sell within legal hours (being between the hours of 11:00 AM and 4:00 PM) on May 8, 1997, to satisfy the indebtedness now due under and secured by said deed(s) of trust.

I will convey only such title as is vested in me as Substitute Trustee.

The premises to be sold are described as:

Lot 438, Section E, Twin Lakes Subdivision, situated in Section 6, Township 2 South, Range 8 West, as shown on plat of record in Plat Book 12, Pages 19 and 20, in the office of the Chancery Clerk of DeSoto County, Mississippi.

Richard J. Hill

Substitute Trustee

Duly authorized to act in the premises by instrument dated

March 7, 1994, and recorded in Book 1, Page 23, of the records of the aforesaid County and State.

Apr. 10, 17, 24, May 1, 1997